PART I. Section II

NOTIFICATION.

L. D. (b) 3-2493/50/Law.

The Cantonment Laws (Extension and Amendment) Ordinance, 1950 (XVIII of 1950) which was published in the Gazette of India, Extraordinary, Part II, Section I, dated the 19th June 1950, is herewith republished for general information.

By order,

Government Secretariat,
Law Department,
Trivandrum, June 1950.

N. S. RADHAKRISHNA SARMA,
Secretary to Government.

THE CANTONMENT LAWS (EXTENSION AND AMENDMENT) ORDINANCE, 1950.

ORDINANCE No. XVIII OF 1950.

An Ordinance to Extend the Cantonments (House Accommodation) Act, 1923, and the Cantonments Act, 1924, to Part B States, to Provide for elections to Cantonment Boards on the basis of adult suffrage and to provide for a temporary extension of the term of office of elected members of Cantonment Boards.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Cantonment Laws (Extension and Amendment) Ordinance, 1950.

(2) It shall come into force at once.

2. *Amendment of section 1, Act VI of 1923.*—In sub-section (2) of section 1 of the Cantonments (House Accommodation) Act, 1923, the words and letter "except Part B States" shall be omitted.

3. *Amendment of section 2, Act VI of 1923.*—To section 2 of the Cantonments (House Accommodation) Act, 1923, the following sub-section shall be added, namely:—

"(3) In the application of this Act to any Part B State, any reference to an enactment not in force in that State shall be construed as a reference to the corresponding law in force in that State."

4. *Amendment of section 1, Act II of 1924.*—In sub-section (2) of section 1 of the Cantonments Act, 1924 (hereinafter referred to as the said Act), the words and letter "except Part B States" shall be omitted.

5. *Insertion of new section 2A in Act II of 1924.*—After section 2 of the said Act, the following section shall be inserted, namely:—

"2A. *Rule of construction.*—In the application of this Act to any Part B State, any reference to an enactment not in force in that State shall be construed as a reference to the corresponding law in force in that State."

6. *Amendment of section 27, Act II of 1924.*—In section 27 of the said Act,—

(*i*) for sub-section (1) the following sub-section shall be substituted, namely:—

"(*1*) Every person who, on such date as may be fixed by the Central Government in this behalf by notification in the Official Gazette (hereinafter in this section referred to as 'the qualifying date'), is not less than twenty-one years of age and who has resided in the cantonment for a period of not less than twelve months immediately preceding the qualifying date shall, if not otherwise disqualified, be entitled to be enrolled as an elector.

Explanation.—When any place is declared a cantonment for the first time, or when any local area is first included in a cantonment, residence in the place or area comprising the cantonment on the aforesaid date shall be deemed to be residence in the cantonment for the purposes of this sub-section.";

(*ii*) in sub-section (*2*),—

(*a*) for the words "aforesaid date" the words "qualifying date" shall be substituted;

(*b*) clause (*ii*) shall be omitted.

7. *Amendment of section 29, Act II of 1924.*—Clause (*b*) of section 29 of the said Act shall be omitted.

8. *Amendment of section 31, Act II of 1924.*—Clause (*c*) of section 31 of the said Act shall be omitted.

9. *Extension of term of office of elected members of Cantonment Boards.*—Notwithstanding anything contained in section 15 of the said Act the elected members of every Cantonment Board holding office immediately before the commencement of this Ordinance shall continue to hold office up to the 30th day of November, 1950, or until the date of the notification of the election of their successors under sub-section (*7*) of section 13 of the said Act, whichever date is earlier.

10. *Repeal and savings.*—(*1*) If immediately before the commencement of this Ordinance, there is in force in any of the Part B States any law corresponding to the Cantonments (House Accommodation) Act, 1923 (VI of 1923) or the Cantonments Act, 1924 (II of 1924), such corresponding law is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under such corresponding law shall be deemed to have been done or taken in the exercise of the powers conferred by or under the Cantonments (House Accommodation) Act, 1923, or the Cantonments Act, 1924, as the case may be, as if those Acts were in force in the State on the day on which such thing was done or action was taken.

RAJENDRA PRASAD,
President.

K. V. K. SUNDARAM,
Secretary to the Government of India.